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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,664	01/17/2002	Samuel I. Brandt	2001P16949 US01	1208

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EXAMINER	
ROBINSON BOYCE, AKIBA K	

ART UNIT	PAPER NUMBER
3623	

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DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/051,664	BRANDT ET AL.
	Examiner	Art Unit
	Akiba K Robinson-Boyce	3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1/17/02*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *011702*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. Due to communications filed 1/17/02, the following is a non-final first office action. Claims 1-27 are pending in this application and have been examined on the merits. Claims 1-27 are rejected as follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 9-13, 20-23, 26 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Schloss et al (US 5,692,125).

As per claim 1, Schloss et al discloses:

receiving a message identifying occurrence of an event potentially affecting healthcare delivered to a patient, (Col. 4, lines 43-48, [sending a message to prompt performance of an event such as administering medication to one or more patients]);

in response to said occurrence of said identified event, determining particular tasks to be performed, (col. 14, lines 51-55, [one or more events to be scheduled where the event is analogous to a task since the event is being performed]); and

initiating scheduling of performance of said particular tasks by at least one individual, (col. 14, lines 62-67, [a scheduler executed to schedule]).

As per claims 2, 27, Schloss et al discloses:

(a) adding said particular tasks to an existing scheduled task sequence, (Col. 5, lines 30-33, [adding events]).

As per claim 9, Schloss et al discloses:

said event comprises at least one of, (a) an event resulting from action

by healthcare personnel, (b) an event generated by an operating process, (c) an event generated by patient monitoring equipment and (d) an event generated by a medical device, (col. 7, lines 55-59, [physician prescribing vitamins]).

As per claim 10, Schloss et al discloses:

receiving information identifying a particular individual task of an

existing scheduled task sequence, (Col. 12, lines 14-16, [" Injection #1" followed by "Booster Injection"], and including the step of adapting said existing scheduled task sequence by initiating processing of said existing scheduled task sequence from said identified particular individual task in response to occurrence of said event, (col. 12, lines 16-35, [scheduling the injections]).

As per claim 11, Schloss et al discloses:

receiving at least one message identifying occurrence of an event and at least one parameter associated with said event, (Col. 4, lines 43-48, [sending a message to prompt performance of an event such as administering medication to one or more patients, where the parameter is represented by a dynamic condition]);

determining whether said identified event is associated with a predetermined process of a plurality of predetermined processes, (co l. 8, lines 21-26, [determining event groups]);

providing said parameter to said predetermined process in response to said determination, (col. 8, lines 21-22, [each event in event group will require an identifier]); and

initiating scheduling of performance of said predetermined process in response to occurrence of said identified event, (col. 8, lines 35-37, [events scheduled by the user]).

As per claim 12, Schloss et al discloses:

Wherein said associated parameter is for use by multiple different process task sequences and is stored at a location available for access by said multiple different process task sequences, (Fig. 2, and Col. 3, lines 40-65, [computer system where events are processed], Col. 15, lines 46-53, [event condition in data structure stored in memory]).

As per claim 13, Schloss et al discloses:

including the step of verifying said associated parameter is compatible with predetermined value criteria as a pre-condition to providing said parameter to said predetermined process, 15, lines 54-60, [conditions must be satisfied]).

As per claim 20, Schloss et al discloses:

in response to occurrence of an event in a first process, receiving at least one message identifying said event occurring during said first process and identifying a parameter associated with said event, (Col. 4, lines 43-48, [sending a message to prompt performance of an event such as administering medication to one or more patients]);

acquiring said parameter associated with said event and providing said parameter to a second process, (col. 8, lines 27-35, [event A pointing to event B]); and

adapting said second process by scheduling performance of particular set of tasks in response to receiving said at least one message, (col. 8, lines 35-37, [forming a precedence link and scheduling the event that forms that link]).

As per claim 21, Schloss et al discloses:

including the step of receiving an identifier identifying a particular individual task in said second process, (col. 12, lines 14-16, ("Injection 1" followed by "booster injection"), and wherein said adapting step comprises initiating processing of said second process from said particular individual task in response to receiving said at least one message, (col. 12, lines 16-35, [scheduling the injections {this includes initiating the processing of the "booster injection"}]).

As per claim 22, Schloss et al discloses:

wherein said parameter associated with said event is stored at a location available for access by said first and second processes, (col. 3, lines 40-65, and Fig. 2, [computer system where 2 events are processed]).

As per claim 23, Schloss et al discloses:

sharing data between said first and second process comprising sharing at least one of, (a) an event identifier identifying said event, (b) a process identifier identifying said first process, (c) an identifier identifying a particular instance of said first process and (d) an identifier identifying a particular individual task in a process, (Col. 8, lines 21-26, [event identifier for each event]).

As per claim 26, Schloss et al discloses:

a communication interface for receiving a message identifying an event potentially affecting healthcare delivered to a patient, (col. 20, lines 21-22, [general purpose computer system], w/ col. 4, lines 43-45, [sending a message to prompt performance of an event]);

an event analyzer for applying predetermined rules to interpret said identified event to determine particular tasks to be performed in response to occurrence of said identified event, (Col. 14, lines 49-56, [computer with CPU and memory for determining if event condition is satisfied]); and

a processor for initiating scheduling of performance of said particular tasks by at least one individual in response to said occurrence of said identified event, (Col. 14, lines 62-67, [scheduler]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3, 4, 7, 8, 15-19, 24, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al (US 5,692,125) as applied to claim1 above, and further in view of Judge et al (US 6,401,138).

As per claim 3, Schloss et al fails to disclose also receiving at least one of, (a) a process identifier, (b) an identifier identifying a particular instance of said first process, but does disclose events part of an event group that require an identifier in col. 8, lines 21-22.

However, Judge et al discloses:

A process identifier, (col. 9, line 13, [process ID]). Judge et al discloses this limitation in an analogous art for the purpose of showing that process can be identified by ID.

It would have been obvious to one of ordinary skill in the art at the time o the applicant's invention to have a process identifier with the motivation of having means to retrieve a process by identifying it.

As per claim 4, Schloss et al fails to disclose said particular instance of said first process comprises a particular use of said process for a specific patient, but does disclose the performance of an event that relates to a patient in col. 4, lines 55-60.

However, Judge et al discloses:

said particular instance of said first process comprises a particular use of said process for a specific patient, (Col. 21, lines 36-45, [using data about particular patients to issue service requests]). Judge et al discloses this limitation in an analogous art for the purpose of showing that service requests are issued for certain patients]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for a first process to comprise a particular use of said process for a

specific patient with the motivation of initiating and completing processes specifically for each individual patient.

As per claims 7, 15, 16, Schloss et al discloses:

said message includes an event identifier identifying said event/said at least one message includes a process identifier indentifying a target process to be replaced by said predetermined process, (col. 8, lines 21-22, [each event in event group will require an identifier]);

Schloss et al fails to disclose a process identifier identifying a target process to be replaced by a predetermined process comprising said particular tasks/replacing scheduling of performance of another process with said scheduling of performance of said identified process, but does disclose events part of an event group that require an identifier to schedule an event in col. 8, lines 21-22.

However, Judge et al discloses:

A process identifier, (col. 9, line 13, [process ID]). Judge et al discloses this limitation in an analogous art for the purpose of showing that process can be identified by ID.

It would have been obvious to one of ordinary skill in the art at the time o the applicant's invention to have a process identifier with the motivation of having means to retrieve a process by identifying it.

As per claims 8, 17, 18, 25, Schloss et al discloses:

And including the step of searching a database containing records indicating active processes and process instances to identify active process instances of said

target process to be replaced/receiving information identifying active process instances and storing records in a database indicating said identified active process instances, (col. 5, lines 29-30, [sending orders to the database]).

As per claim 19, Schloss et al discloses:

Said target process is a default process, (col. 2,lines 54-56, [provide default information]).

As per claim 24, Schloss et al fails to disclose wherein said at least one message includes a process identifier identifying said second process is to be modified in response to occurrence of said event in said first process, but does disclose events part of an event group that require an identifier in col. 8, lines 21-22 and that a first event can be effected by , and modified by a second event in col. 8, lines 27-45.

However, Judge et al discloses:

A process identifier, (col. 9, line 13, [process ID]). Judge et al discloses this limitation in an analogous art for the purpose of showing that process can be identified by ID.

It would have been obvious to one of ordinary skill in the art at the time o the applicant's invention to have a process identifier with the motivation of having means to retrieve a process by identifying it.

6. Claims 5, 6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al (US 5,692,125) as applied to claim1 above, and further in view of Wright et al (US 6,004,276).

As per claims 5, 14, Schloss et al fails to disclose:

filtering a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and excluding other messages immaterial to said healthcare delivered to said patient, but does disclose the performance of an event that relates to a patient in col. 4, lines 55-60.

However Wright et al discloses:

filtering a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and excluding other messages immaterial to said healthcare delivered to said patient, (col. 42, lines 37-41, [filtering]). Wright et al discloses this limitation in an analogous art for the purpose of showing that events can be filtered during a query]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to filter a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and excluding other messages immaterial to said healthcare delivered to said patient with the motivation of weeding out messages for events that are not necessary.

As per claim 6, Schloss et al fails to disclose filtering said plurality of received messages based on an event identifier, but does disclose the performance of an event that relates to a patient in col. 4, lines 55-60.

However, Wright et al discloses:

filtering said plurality of received messages based on an event identifier, (col. 42, lines 40-41, [events are filtered]). Wright et al discloses this limitation in an analogous art for the purpose of showing the filtration of identified events]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to filter said plurality of received messages based on an event identifier with the motivation of having means for identifying filtered events.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.
June 25, 2004

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600